

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

RIVERKEEPER, INC., NATURAL  
RESOURCES DEFENSE COUNCIL,  
WATERKEEPER ALLIANCE, INC.,  
SOUNDKEEPER, INC., DELAWARE  
RIVERKEEPER NETWORK, AMERICAN  
LITTORAL SOCIETY, RARITAN  
BAYKEEPER, INC. d/b/a NY/NJ BAYKEEPER,  
SAVE THE BAY – PEOPLE OF  
NARRAGANSETT BAY, FRIENDS OF CASCO  
BAY, SANTA MONICA BAYKEEPER, INC.,  
SURFRIDER FOUNDATION,  
MASSACHUSETTS PUBLIC INTEREST  
RESEARCH GROUP, INC.

Plaintiffs,

vs.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY and STEPHEN L.  
JOHNSON, in his official capacity as  
Administrator of the United States Environmental  
Protection Agency,

Defendants.

Civil Action No. 06 CV 12987  
ECF case

**UNOPPOSED  
MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

S.D. N.Y.

2007 FEB 15 PM 2:26

REED SUPER, ATTORNEY  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the  
Southern and Eastern Districts of New York, I, Reed Super a member in good standing of the bar  
of this Court, hereby move for an Order allowing the admission pro hac vice of

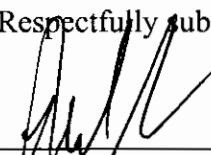
Charles C. Caldart  
National Environmental Law Center  
3240 Eastlake Avenue E., Suite 100  
Seattle, WA 98102  
(206) 568-2853  
(206) 568-2858 (fax)

Charles C. Caldart is a member in good standing of the Bars of the State of Washington and the Commonwealth of Massachusetts. There are no pending disciplinary proceedings against Charles C. Caldart in any State or Federal court. I am submitting herewith the Affidavit of Reed Super in Support of this Motion.

Dated: New York, NY  
February 14, 2007

Of Counsel:  
P. Kent Correll, Esq. (PC-2609)  
300 Park Avenue, 17<sup>th</sup> Floor  
New York, NY 10022  
212-475-3070  
212-475-2378 (fax)

Respectfully submitted,

  
\_\_\_\_\_  
Reed W. Super (RS-3615)  
Environmental Law Clinic  
Columbia University School of Law  
435 West 116<sup>th</sup> Street  
New York, NY 10027  
(212) 854-3365  
(212) 854-3554 (fax)

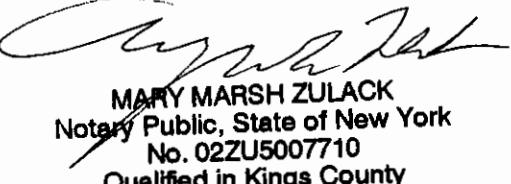
support of Plaintiffs' unopposed motion to admit Charles C. Caldart as counsel pro hac vice to represent Plaintiff Massachusetts Public Interest Research Group, Inc. in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 2000. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Charles C. Caldart since 2006.
4. Mr. Caldart is the Litigation Director of the National Environmental Law Center (NELC), which has offices in Boston, MA, Seattle, WA, and San Francisco, CA. He works out of the NELC office in Seattle, WA.
5. I have found Mr. Caldart to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Charles C. Caldart, pro hac vice.
7. I have consulted with counsel for all parties in this matter and each has stated that she/he does not oppose this motion.
8. I respectfully submit a proposed order granting the admission of Charles Caldart, pro hac vice, which is attached hereto as Exhibit A.

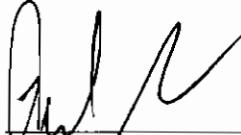
WHEREFORE it is respectfully requested that the motion to admit Charles C. Caldart, pro hac vice, to represent Plaintiff Massachusetts Public Interest Research Group, Inc. in the above captioned matter, be granted.

Dated: New York, NY  
February 14, 2007

Notarized:

  
MARY MARSH ZULACK  
Notary Public, State of New York  
No. 02ZU5007710  
Qualified in Kings County  
Commission Expires February 1, 2007

Respectfully submitted,

  
Reed W. Super (RS-3615)

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

RIVERKEEPER, INC., NATURAL  
RESOURCES DEFENSE COUNCIL,  
WATERKEEPER ALLIANCE, INC.,  
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SAVE THE BAY – PEOPLE OF  
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Protection Agency,

Defendants.

Civil Action No. 06 CV 12987  
ECF case

**ORDER FOR ADMISSION  
PRO HAC VICE  
ON WRITTEN UNOPPOSED  
MOTION**

Upon the motion of attorney for and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Charles C. Caldart  
National Environmental Law Center  
3240 Eastlake Avenue E., Suite 100  
Seattle, WA 98102  
(206) 568-2853  
(206) 568-2858 (fax)  
Cccnelc@aol.com

is admitted to practice pro hac vice as counsel for Plaintiff Massachusetts Public Interest Group, Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

February 14, 2007  
New York, NY

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United States District/Magistrate Judge

**IN THE SUPREME COURT OF THE STATE OF WASHINGTON**

IN THE MATTER OF THE ADMISSION

BAR # 5563

OF

**CERTIFICATE OF GOOD**

CHARLES CRAIG CALDART

**STANDING**

TO PRACTICE IN THE COURTS OF THIS STATE.

I, Ronald R. Carpenter, Clerk of the Supreme Court of the State of Washington, hereby certify

CHARLES CRAIG CALDART

was regularly admitted to practice as an Attorney and Counselor at Law in the Supreme Court  
and all the Courts of the State of Washington, on October 25, 1974, and is now and has been  
continuously since that date an attorney in good standing in said Court.



IN TESTIMONY WHEREOF, I have  
hereunto set my hand and affixed  
the seal of said Court this  
29<sup>th</sup> day of January, 2007

RONALD R. CARPENTER  
SUPREME COURT CLERK  
WASHINGTON STATE SUPREME COURT

**COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston  
within and for said County of Suffolk, on the **twelfth**  
day of **February** A.D. **1986**, said Court being the highest  
Court of Record in said Commonwealth:

Charles C. Caldart

being found duly qualified in that behalf, and having taken and subscribed  
the oaths required by law, was admitted to practice as an Attorney, and, by  
virtue thereof, as a Counsellor at Law, in any of the Courts of the said  
Commonwealth: that said Attorney is at present a member of the Bar, and  
is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the  
seal of said Court, this **second** day of **February**  
in the year of our Lord **two thousand and seven**.



  
MAURA S. DOYLE, Clerk

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 14th day of February 2007, I caused to be served by electronic mail one copy of the following:

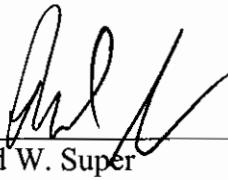
An Unopposed Motion to Admit Counsel Pro Hac Vice for Charles Caldart; and

An Affidavit of Reed Super in Support of this Motion.

on:

Wendy H. Waszmer  
Assistant United States Attorney  
Southern District of New York  
86 Chambers Street, 3rd Floor  
New York, New York 10007  
*Counsel for Defendants*

Russell S. Frye  
3050 K. Street, NW  
Suite 400  
Washington, DC 20007-5108  
*Counsel for Movant for  
Intervention Cooling Water  
Intake Structure Coalition*



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Reed W. Super